

*modifies the purpose of accelerating the growth of hair on the cat or dog in the area wherein alopecia has occurred. Such functional language has been accepted in claims for decades. It is not the function of the claim to teach and enable one of ordinary skill in the art how to use the invention; it is the specification, which teaches how to do this.*

*Claim 15 satisfies 35USC112.*

*Each of the dependent claims 18, 19, and 20 have been altered from the "corresponding" claims 11, 12, and 13 to meet the issues of the prior claims 4, 5, and 6. Clarity is present.*

*Before discussing the prior art rejection, it is important to review the nub of the invention. Applicants have found that various alcohols applied to canine or feline skin wherein alopecia has occurred accelerates the rate of hair growth. None of the references actually disclose this.*

*All of the previous claims but 5, 12, and 13 were rejected over Schwen for anticipation. Claims 12 and 13 limitations are now in dependent claims 19 and 20. Schwen is directed to the discovery that a complex steroidal type molecule abbreviated CATA can be used among other uses (at least two others) to regulate hair growth in a mammal. At column 4, line 42 to column 7, line 9, a section entitled "The Carrier" discloses all kinds of "solid, semi-solid or liquid cosmetically and/or physiologically acceptable and/or pharmaceutically acceptable carrier", column 4, lines 44-46 to enable CATA to be delivered to the desired target at an appropriate concentration. On the basis of foresight as opposed to hindsight which one(s) do you pick? Which form of delivery do you choose? Liquids are disclosed at column 4, lines 65-57 but are limited to  
"lotion, cream, shampoo, conditioner, gel  
mousse or milk"*

*Solids and semi-solids are not even liquid but they are mentioned as well. Carriers useful in topical compositions can include "liposomes, latex latices, microsphaera, cyclodextrans, and various forms of microencapsulation", column 5, lines 26-28. There is too broad a disclosure to rely on the specific passage mentioning some alcohols out of the huge disclosure relating to the "The Carrier" to justify an anticipation rejection.*

*Additionally, there is no directed disclosure in Schwen which combines the alcohols with the specific condition claimed in 15 - the state wherein alopecia has occurred and accelerating hair growth in that particular area.*

*Still further attention is directed to other conditions or variables beyond alopecia in independent claims 22-25.*

*Claim 22 refers to alopecia occurring after hair is clipped.*

*Claim 23 require methanol to be present.*

*Claim 24 corresponds to old claim 13 in removing stratum corneum.*

*Claim 25 corresponds to old claim 12 in alcohols.*

*None of claims 15-25 are anticipated by Schwen.*

*Old claims 1-12 and 14 were rejected over Gibson alone for obviousness and further in view of Schwen as applied to claims 1-4, 6-11 and 14. As the Office Action states, Gibson is restricted to humans.*

There is no mention of lower mammals. There is also no disclosure as to alopecia. The number of materials cited to deliver the minoxidil derivatives in the section entitled "The Vehicle", column 6, line 30 to column 7, line 40 is enormous. There is no indication that any of the alcohol(s) cited will cause hair to grow faster after alopecia has occurred in a dog or a cat.

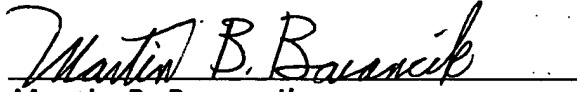
The combination of Schwen with Gibson does not add anything to the strength of Gibson. The only overlap is to humans, not to any other usage or any directed use of the alcohols for this present claimed invention in dogs and cats.

Original claim 13 was rejected for obviousness over Schwen and further in view of Jacques. Schwen discloses nothing about "removal of a portion of the stratum corneum prior to the application of alcohol as in claim 13." Obviousness is absent. The attempted combination of Jacques with Schwen does not bring about obviousness. Jacques' invention is specifically directed to a laser method to ablate the skin of a human patient prior to applying a therapeutic substance to the ablated spot. The disclosure is limited to human; it does not suggest dogs or cats. The disclosure does not intimate that an alcohol is a therapeutic substance now that the list of therapeutic compounds disclosed at column 9, lines 18-28 would include these materials. The only combination would be for human application and that would be to enhance the absorption to bring about better absorption for systemic effect of a therapeutic substance.

It is submitted that the claimed invention remains non-obvious.

*Applicants by their attorney respectfully request reconsideration  
and allowance of the new claims.*

*Respectfully submitted,*



Martin B. Barancik

Reg. No. 25,189

Attorney of Record

COLGATE-PALMOLIVE COMPANY  
909 River Road; P.O. Box 1343  
Piscataway, NJ 08855-1343  
Tel. (732) 878-7492



## Appendix A

Cancel claims 1-14. The following are new claims 15-25.

### Claims

15. A method for accelerating growth of hair on the skin of a canine or feline having alopecia which comprises applying to the skin of said canine or feline wherein alopecia has occurred an alcohol or mixture of alcohols in sufficient quantity to accelerate hair growth in the area wherein alopecia has occurred.
16. The method of claim 15 wherein alopecia has occurred in a canine.
17. The method of claim 16 wherein the canine alopecia has occurred after the hair has been clipped.
18. The method of claim 16 wherein the alcohol is ethanol or the mixture of alcohols contains ethanol.
19. The method of claim 16 wherein the mixture of alcohols comprises as the alcohols present therein about 80 to about 94 vol. % of ethanol and about 6 to 20 vol. % of methanol, isopropanol or a mixture thereof.
20. The method of claim 16 wherein a portion of the stratum corneum of the skin wherein alopecia has occurred has been removed prior to application of the alcohol or mixture of alcohols.
21. The method of claim 15 wherein alopecia has occurred on a feline.
22. A method for accelerating growth of hair on the skin of a canine or feline having alopecia wherein alopecia has occurred after the hair has been clipped which comprises applying to the skin of said canine or feline wherein alopecia has occurred an alcohol or mixture of alcohols in sufficient quantity to accelerate hair growth in the area wherein alopecia has occurred.
23. A method for accelerating growth of hair on the skin of a canine or feline having alopecia which comprises applying to the skin of said

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*canine or feline wherein alopecia has occurred an alcohol or mixture of alcohols in sufficient quantity to accelerate hair growth in the area wherein alopecia has occurred and wherein the alcohol is methanol or the mixture of alcohols has methanol.*

- 24. A method for accelerating growth of hair on the skin of a canine or feline having alopecia which comprises applying to the skin of said canine or feline wherein alopecia has occurred an alcohol or mixture of alcohols in sufficient quantity to accelerate hair growth in the area wherein alopecia has occurred and wherein a portion of the stratum corneum of the skin wherein alopecia has occurred has been removed prior to application of the alcohol or mixture of alcohols.*
- 25. A method for accelerating growth of hair on the skin of a canine or feline having alopecia which comprises applying to the skin of said canine or feline wherein alopecia has occurred a mixture of alcohols in sufficient quantity to accelerate hair growth in the area wherein alopecia has occurred, and wherein the mixture of alcohols comprises as to the alcohols therein about 80 to about 94 vol. % ethanol and about 6 to about 20 vol. % of methanol, isopropanol and mixtures thereof.*